

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TAVARES M. JOHNSON,

Defendant.

8:99CR30

ORDER

Defendant Tavares M. Johnson appeared before the court on November 30, 2009 on a detention hearing regarding Petition for Warrant or Summons for Offender Under Supervision [75]. The defendant was represented by Assistant Federal Public Defender Julie B. Hansen and the United States was represented by Assistant U.S. Attorney Robert C. Sigler. Through counsel, the defendant declined to present any evidence on the issue of detention. Since it is the defendant's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a danger to the community nor a flight risk, the court finds the defendant has failed to carry his burden and that he should be detained pending a dispositional hearing before Chief Judge Bataillon.

IT IS ORDERED:

1. A final dispositional hearing will be held before Judge Joseph F. Bataillon in Courtroom No.3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on **January 19, 2010 at 8:30 a.m.** Defendant must be present in person.
2. The defendant is detained per order (#13) in 8:09CR410.

DATED this 30th day of November, 2009.

BY THE COURT:

s/ F. A. Gossett
United States Magistrate Judge